

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIFE IS GOOD, INC.,

Plaintiff,

v.

LG ELECTRONICS U.S.A., INC., and
LG ELECTRONICS MOBILECOMM U.S.A.,
INC., (formerly LG INFOCOMM U.S.A., INC.)

Defendants.

Civil Action No. 04 11290 WGY

Hon. William G. Young

**DECLARATION OF TIMOTHY LEMPER
IN SUPPORT OF DEFENDANTS' MOTION IN LIMINE TO EXCLUDE
ARGUMENT AND EVIDENCE ON DEFENDANTS' INTENT**

I, Timothy Lemper, declare that the following is true and correct under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am an attorney at the firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, 901 New York Avenue, NW, Washington, D.C. 20001, counsel for Defendants LG Electronics U.S.A., Inc. and LG Electronics MobileComm U.S.A., Inc. ("Defendants") in this case. I am making this Declaration in support of Defendants' Motion in Limine to Exclude Argument and Evidence on Defendants' Intent. This declaration is based on my personal knowledge.

2. True and correct copies of excerpts from the transcript of the November 9, 2005 deposition testimony of Mr. John Taylor, Vice President of Public Affairs and Communications for Defendant LG Electronics, U.S.A., Inc. and its Rule 30(b)(6) witness in this case, are attached as Exhibit 1 to this Declaration.

3. True and correct copies of excerpts from the transcript of the November 29, 2005 deposition testimony of Mr. Jason Lee, Advertising Manager for Defendant LG Electronics

MobileComm U.S.A., Inc. and its Rule 30(b)(6) witness in this case, are attached as Exhibit 2 to this Declaration.

4. A true and correct copy of documents produced by Defendants bearing bates numbers LG006325-6368 and LG006401-LG006471 (and an English translation for documents LG006418-6444) are attached as Exhibit 3 to this Declaration. **Because these documents contain confidential information, Exhibit 3 is being filed under seal.**

5. True and correct copies of excerpts from the transcript of the October 13, 2005 deposition testimony given by Mr. Albert Jacobs, Plaintiff's President and co-owner and a Rule 30(b)(6) witness for Plaintiff, are attached as Exhibit 4 to this Declaration.

Executed this 25th day of August, 2006.



Timothy Lemper

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 25, 2006.

/s/ Timothy A. Lemper